

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

In re: *Ex Parte* Application of Apotex

Inc. for Order To Obtain Discovery

Case No. 2:08-mc-51095

for Use in Action Pending Before the

Judge: Hood, Denise Page

Federal Court of Canada

Court of Canada

ORDER

This Court having considered the *ExParte* Application of Apotex Inc. for an Order Pursuant To 28 U.S.C. § 1782(a) To Obtain Discovery for Use in Action Pending Before the Federal Court in Canada ("the Application"), which seeks deposition and document discovery from Milton L Hoefle, 1020 Belmont Road, Ann Arbor, MI 48104-2818, George Bobowski, 3376 Tacoma Circle, Ann Arbor, MI 48104-1746, Sylvester Klutchko, 5143 Pratt Road, Ann Arbor, MI 48103, and John Topliss, 364 Ausable Place, Ann Arbor, MI 48104, and good cause having been shown therefor, the Court finds that the conditions and factors to be weighed by the Court warrant the exercise of the Court's discretion and favor granting the relief requested in the Application.

It is, therefore, on this 4TH day of December, 2008, by the United States District Court for the Eastern District of Michigan, hereby

ORDERED that the Application be and is hereby APPROVED; and it is further

ORDERED that counsel for the Applicant shall serve Subpoenas for documents and testimony in the forms attached as Attachments A, B, C and D to the Application, commanding Milton L. Hoefle, 1020 Belmont Road, Ann Arbor, MI 48104, George Bobowski, 3376 Tacoma Circle, Ann Arbor, MI 48104, Sylvester Klutchko, 5143 Pratt Road, Ann Arbor, MI 48103, and John Topliss, 364 Ausable Place, Ann Arbor, MI 48104 to produce the documents requested in the Subpoenas within 30 days of service at the offices of Howard & Howard, One North

Building, Ste. 300, 101 N. Main Street, Ann Arbor, Michigan 48104, and to appear for depositions a week later, or at such other time as may be convenient to the parties, at that same location, before a Notary Public (or other person duly qualified to administer an oath), which shall be recorded stenographically and by video.

SO ORDERED.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: December 4, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 4, 2008, by electronic and/or ordinary mail.

S/Lisa Ware for William F. Lewis
Case Manager